

REMARKS

In response to the Final Office Action mailed March 12, 2007, Applicants respectfully request reconsideration. To further the prosecution of this application, each of the rejections set forth in the Office Action has been carefully considered and is addressed below. The application as presented is believed to be in condition for allowance.

Initially, Applicants thank Examiner Vu for the courtesies extended during the telephone interview with Applicants' representative, Scott J. Gerwin, on May 25, 2007. The substance of this interview is summarized herein.

Prior Art Rejections

Applicants' response of December 18, 2006 was accompanied by a request under 37 C.F.R. §1.48(b) to remove Robert Powers and Derrick Tate as inventors in this application. The Office Action of March 12, 2007 objects to this request, asserting that Applicants did not adequately explain the reason for the removal for these inventors.

During the telephone interview, Applicants' representative questioned the Examiner as to why he believed the Applicants' §1.48(b) request was deficient. The Examiner explained that while he believed the request complied with all the requirements of 37 C.F.R. §1.48(b), he wanted clarification on why the inventors were being removed at the time of filing of the §1.48(b) request, as opposed to the time at which the cancellation of the claims that prompted their removal occurred.

Applicants' representative explained that the Office Action mailed August 16, 2006 introduced a rejection of all currently pending claims 96-113 under 35 U.S.C. §103(a), as purportedly being obvious over "Axiomatic Design Theory for Systems," by Nam P. Suh (hereinafter "Suh 1") in view of "Systematic OO Programming with Axiomatic Design," by Sung-Hee Do and Nam P. Suh (hereinafter "Suh 2").

Applicants' representative explained that the rejection based on Suh 2 (which is authored by two inventors of this application) prompted Applicants to review the claims to determine for which claims, if any, Suh 2 qualifies as prior art. In conducting this evaluation, Applicants determined that neither Robert Powers nor Derrick Tate contributed to any of the currently pending claims (i.e., claims 96-113) and thus should be removed as inventors from this application.

In response to this explanation, the Examiner indicated that if Applicants point out which of the previously-pending canceled claims prompted the removal of Robert Powers and Derrick Tate as inventors, he would withdraw his objection to Applicants' request to remove these inventors.

The Examiner's request prompted Applicants to again review the currently pending claims and to consider the previously-pending canceled claims in light of Robert Powers' and Derrick Tate's contributions to determine to which, if any, of the previously-pending claims Mr. Powers and Mr. Tate contributed, and to verify Applicants' previous determination that neither Mr. Powers' nor Mr. Tate contributed to any of the currently-pending claims.

In conducting this review, Applicants determined that Robert Powers was not an inventor on any of the previously-pending canceled claims and is not an inventor on any of the currently pending claims, and thus was listed as an inventor in this application in error. Applicants filed a request under 37 C.F.R. §1.48(a) on September 6, 2007 to remove Robert Powers as an inventor in this application.

Applicants further determined that Derrick Tate's contribution related to his assistance in the development of software with the capability to determine whether a user-defined design matrix is coupled, decoupled, or uncoupled. Originally filed claims 87 and 88 related to this aspect. These claims were canceled in Applicants' response filed November 21, 2005. Claim 108 which recites a computer-readable medium encoded with instructions that, when executed, perform "an act of determining if the design matrix is decoupled," and claim 109 (which depends from claim 108) are cancelled herein. As a result of the cancellation of these claims, no claims remain in this application to which Derrick Tate made any contribution. Accordingly, Applicants submit herewith a request under 37 C.F.R. §1.48(b) to remove Derrick Tate as an inventor in this application.

In view of the removal of Derrick Tate and Robert Powers as inventors, Suh 2 does not qualify as prior art to this application. That is, the authors of Suh 2 are the same as the inventive entity for this application. Because the reference is not "by another," it does not qualify as prior art under 35 U.S.C. §102.

Because Suh 2 does not qualify as prior art to this application, it is respectfully requested that the rejection of claims 96-113 under 35 U.S.C. §103(a) be withdrawn.

Rejections Under 35 U.S.C. §101

During the telephone interview, Applicants' representative briefly discussed with the Examiner the rejection under 35 U.S.C. §101. The Examiner indicated that he would reconsider Applicants' arguments in the response mailed August 16, 2006 that the claims recite a practical application that yields a useful, concrete, and tangible result.

CONCLUSION

A Notice of Allowance is respectfully requested. The Examiner is requested to call the undersigned at the telephone number listed below if this communication does not place the case in condition for allowance.

If this response is not considered timely filed and if a request for an extension of time is otherwise absent, Applicants hereby request any necessary extension of time. If there is a fee occasioned by this response, including an extension fee, that is not covered by an enclosed check, please charge any deficiency to Deposit Account No. 23/2825.

Dated: September 12, 2007

Respectfully submitted,

By _____
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